

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,
Debtor.

Bankruptcy Case Number 13-53846

Honorable Steven W. Rhodes

Chapter 9

**ORDER RESOLVING EDDIE ADAMS'S MOTION FOR
RELIEF FROM THE AUTOMATIC STAY
TO ALLOW STATE COURT AND FEDERAL COURT
ACTIONS TO CONTINUE**

This matter comes before the Court on (a) the *Motion for Relief from the Automatic Stay to Allow State Court and Federal Court Personal Injury Actions to Continue* (the "Motion," Doc. No. 7499) filed by Eddie Adams (the "Claimant"); and (b) the stipulation ("Stipulation") filed by the Claimant and the City of Detroit (the "City") to resolve the Motion. The Court having reviewed the Motion and the Stipulation, and determining that there is just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion is RESOLVED as set forth herein.
2. Claimant is granted relief from the automatic stay for the purpose of proceeding on a claim against the City for injuries he alleges he sustained in an accident that occurred on or about November 14, 2009 (the "Claim").
3. The relief from the automatic stay provided by this Order applies to both the State Court action in the Michigan Court of Appeals, *Eddie Adams v City*

of Detroit, Michigan, Case Number 317160 (Wayne County Case Number 11-13755-NO) (the “Appeal”), and the Federal Court declaratory action in the United States District Court, Eastern District of Michigan, Southern Division, *Valley Forge Insurance Company v City of Detroit and Eddie Adams*, Case Number 13-11168 (the “Declaratory Action”).

4. To the extent that the Appeal determines that the Claimant has a valid Claim, then

- a. to the extent that the Declaratory Action determines that Valley Forge Insurance Company (the “Insurance Carrier”) is liable to defend and indemnify the City for part or all of the Claim, the Claimant’s recovery against the City will be limited to the extent of available insurance coverage that the City has from the Insurance Carrier for the Claim (“Coverage”); and
- b. to the extent that the Claim exceeds the City’s Coverage (or, if the Declaratory Action determines that the Insurance Carrier is not at all liable to defend and indemnify the City for the Claim), then the uninsured portion of the Claim will be allowed as a general unsecured claim as an amendment to Claimant’s claim number 880 in the City’s bankruptcy case.

Signed on October 06, 2014

/s/ Steven Rhodes
Steven Rhodes
United States Bankruptcy Judge